

Docket No. 03-0970  
1496.00331

### DECLARATION & POWER OF ATTORNEY

I, the undersigned inventor, hereby declare that:

My residence, post office address and citizenship are given next to my name;

I believe that I am the first, original and sole inventor of the subject matter claimed in the application for patent entitled "**METHOD FOR ACTIVATION AND DEACTIVATION OF INFREQUENTLY CHANGING SEQUENCE AND PICTURE PARAMETER SETS**", which:

  X   is submitted herewith;

       was filed on            as Application Serial No.        and amended on           ;

I have reviewed and understand the contents of the above-identified application for patent (hereinafter, "this application"), including the claims, as amended by any amendment specifically referred to in the oath or declaration;

I acknowledge the duty under Title 37, Code of Federal Regulations, Section 1.56, to disclose to the United States Patent and Trademark Office information known to be material to the patentability of this application. I also acknowledge that information is material to patentability when it is not cumulative to information already provided to the United States Patent and Trademark Office and when it either

compels, by itself or in combination with other information, a conclusion that a claim is unpatentable under the preponderance of evidence standard, giving each term in the claim its broadest reasonable construction consistent with the application, and before any consideration is given to evidence which may be submitted to establish a contrary conclusion of patentability, or

refutes or is inconsistent with a position taken in either (i) asserting an argument of patentability, or (ii) opposing an argument of unpatentability relied on by the United States Patent and Trademark Office;

I hereby claim the priority benefit under Title 35, Section 119(e), of the following United States provisional patent applications:

Application No.

Filing Date

I hereby claim the priority benefit under Title 35, Section 120, of the following United States patent applications:

Serial No.

Filing Date

Status

Docket No. 03-0970  
1496.00331

Page 2 of 2

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

<u>Application No.</u>	<u>Country</u>	<u>Filing Date</u>
------------------------	----------------	--------------------

Where the subject matter of the claims of this application is not disclosed in the United States or PCT priority patent applications identified above, I acknowledge the duty to disclose information known to be material to the patentability of this application that became available between the filing dates of this application and of the priority United States or PCT patent applications.

We hereby appoint as our attorneys with full power of substitution to prosecute this application and conduct all business in the United States Patent and Trademark Office associated with this application: Customer No. 24319.

24319

PATENT TRADEMARK OFFICE

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Lowell L. Winger  
Inventor

Lowell L. Winger  
Signature of Inventor

Dec. 9, 2003  
Date

Post Office Address: \_\_\_\_\_  
462 Sandbanks Cr.  
Waterloo, Ontario N2V 2J2  
Canada  
Citizen of: Canada  
Residence: 462 Sandbanks Cr.  
Waterloo, Ontario N2V 2J2  
Canada